a system server being operably connected to the blood component collection instrument, the system server comprising a program having a plurality of code segments, at least one code segment for monitoring an operation of the blood component collection instrument and at least one other code segment tracking an operation of the blood component collection instrument;

a memory operably connected to the system server, the memory for storing information received by the system server; and,

an interface operably connected to the system server, the interface further having a display for monitoring the at least one portion of the blood component collection procedure.

80. (Amended Once) The system of claim 79, wherein the communication conduit utilizes UDP/IP.

88. (Amended Once) The medium of claim 87, further comprising:

a fourteenth segment for generating a report utilizing the information received from the interface.

REMARKS

Claims 58-88 are pending in this application. By this amendment, Claims 58, 80 and 88 are amended. No new matter is added. Reconsideration in view of the above amendments and following remarks is respectfully requested.

The attached Appendix includes a marked-up copy of each rewritten claim (37 C.F.R. § 1.121(c)(1)(ii)).

Claim Rejections

The Office Action rejects Claims 69, 80 and 88 under 35 U.S.C. § 112, Second Paragraph, as being indefinite. Applicants amend Claims 80 and 88 to obviate the rejection with respect to those claims. Further, Applicants respectfully point out to the Examiner that Claim 69 depends from independent Claim 58. Contrary to what the Examiner argues, independent Claim 58 does not refer to a "reader." Therefore, Applicants respectfully assert that the Examiner's argument with respect to Claim 69 is incorrect. Accordingly, Applicants respectfully request that the rejection under 35 U.S.C. § 112, Second Paragraph, be withdrawn.

The Office Action provisionally rejects Claims 58-88 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over the claims of co-pending Application No. 09/864,888 in view of Engleson et al. (U.S. Patent No. 5,781,442).

Without admitting to the propriety of the rejection, and in the interest of advancing prosecution, Applicants attach hereto a Terminal Disclaimer in compliance with 37 C.F.R. § 1.321(c).

The Office Action rejects Claims 58-88 under 35 U.S.C. § 103(a) as being unpatentable over Langley et al. (U.S. Patent No. 6,233,525 B1) in view of Engleson et al. and Baluyot et al. (U.S. Patent No. 5,132,026). Applicants respectfully traverse the rejection.

In particular, Applicants respectfully assert that neither Langley et al., Engleson et al. nor Baluyot et al. disclose a system for monitoring and tracking at least a portion of a blood component collection procedure in a blood component collection facility, performed upon a donor, the system comprising: a blood component collection instrument for collecting a blood component from the donor, the donor having a donor identifier and the blood component collection instrument having a blood collection instrument identifier; a blood component collection kit having a blood component collection kit identifier, the blood component collection kit for collecting the blood component from the donor; a system server being operably connected to the blood component collection instrument, the system server comprising a program having a plurality of code segments, at least one code segment for monitoring an operation of the blood component collection instrument and at least one other code segment tracking an operation of the blood component collection instrument, as recited in independent Claim 58.

Moreover, Applicants respectfully assert that neither Langley et al., Engleson et al. nor Baluyot et al. disclose a computer readable medium for use in connection with an operator interface for monitoring and tracking at least a portion of a blood component collection procedure in a blood component collection facility, performed upon a donor, the medium comprising: a first segment for reading information from a blood component collection instrument, and a second segment for storing the information from the blood component collection instrument in a system server, as recited in independent Claim 82.

Specifically, Langley et al. discloses a blood component collection system including an optimization assembly 140 comprising a microprocessor, and at least one blood component collection assembly 10. The assembly includes a blood component collection device 18 as an integral part thereof. See, Column 4, lines 30-37. The optimization assembly 140 includes a central input station 148 for inputting and maintaining donor-related data. The central input station 148 is also used for preparing an initial procedure order for a given donor. See, Column 4, lines 44-50. The blood component collection device 18 includes a prediction model 20 for predicting a platelet yield before a collection procedure is initiated using a compilation of algorithms. See, Column 7, lines 59-66.

Baluyot et al. discloses a plasma pooling bottle bearing a permanent label 19 with alpha-numeric and bar code indicia uniquely identifying the bottle. Similarly, Baluyot et al. disclose a sample vial 16 having a permanent label 20 with identical alpha-numeric and bar code indicia providing a positive and accurate correlation between the sample vial and the pooling bottle. See, Column 3, lines 34-41.

Engleson et al. discloses a patient care management system 30 interfaced with individual hospital systems, such as a pharmacy information system 20, and a hospital administration system 40, interconnected via a network 5 and appropriate interfaces 10. See, Column 4, lines 41-50. The patient care management system 30 includes a file server 45 for storing programs as well as data gathered on the network. See, Column 4, lines 40 and 64-66. The patient care management system 30 includes a clinical monitoring and event history module 130 designed to monitor an infusion pump 92 for delivering medication to a patient in a predetermined, controlled manner. See, Column 9, lines 41-42, and Column 6, lines 17-19.

In stark contrast to Applicants' claimed invention, neither Langley et al., Engleson et al., nor Baluyot et al. disclose or suggest a system for monitoring and tracking at least a portion of a blood component collection procedure in a blood component collection facility, performed upon a donor, the system comprising: a blood component collection instrument for collecting a blood component from the donor, the donor having a donor identifier and the blood component collection instrument having a blood collection instrument identifier; a blood component collection kit having a blood component collection kit identifier, the blood

component collection kit for collecting the blood component from the donor; a system server being operably connected to the blood component collection instrument, the system server comprising a program having a plurality of code segments, at least one code segment for monitoring an operation of the blood component collection instrument and at least one other code segment tracking an operation of the blood component collection instrument.

Moreover, neither Langley et al., Engleson et al., nor Baluyot et al. disclose a computer readable medium for use in connection with an operator interface for monitoring and tracking at least a portion of a blood component collection procedure in a blood component collection facility, performed upon a donor, the medium comprising: a first segment for reading information from a blood component collection instrument, and a second segment for storing the information from the blood component collection instrument in a system server.

Instead, Langley et al. disclose a blood component collection system utilizing a prediction model for plasma-related values. Engleson et al. discloses only the monitoring of infusion pumps in a predetermined, controlled manner.

Accordingly, because Engleson et al. and Baluyot et al. do not compensate for the difficiencies in Langley et al., Applicants assert that it would not have been obvious to combine the applied references to arrive at the claimed invention. Thus, Applicants assert that independent Claims 58 and 82 define patentable subject matter. Claims 59-81 depend from independent Claim 58, and Claims 83-88 depend from independent Claim 82, respectively, and therefore also define patentable subject matter. Accordingly, Applicants respectfully request that the rejection under 35 U.S.C. § 103(a) be withdrawn.

CONCLUSION

In view of the foregoing amendments and remarks, Applicants submit that this application is in condition for allowance. Favorable reconsideration and prompt allowance of Claims 58-88 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact Applicants' attorney at the telephone number listed below.

Respectfully submitted,

Dated: July 22, 2003

By: _____

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Carol J. Wiechers